



The Superior Court

LOS ANGELES, CALIFORNIA 90012

CHAMBERS OF

LEE SMALLEY EDMON

PRESIDING JUDGE

March 5, 2012

TELEPHONE
(213) 974-5600

MEMORANDUM

To: All Judicial Officers and Court Staff

From: Presiding Judge Lee Smalley Edmon *LSE*
John A. Clarke, Executive Officer/Clerk *JAC*

Subject: **LOS ANGELES SUPERIOR COURT BUDGET PLAN**

We write to inform you that the next event in the ongoing contraction of our Court will take place this June, with reductions of more than 300 court staff and the restructuring of several dozen courtrooms. The details of the courtroom and staff reductions have yet to be worked out.

The state budget situation

The budget crisis that began in fiscal year 2008-09 continues with little improvement. Since that time, the California courts have been given permanent budget reductions totaling \$652 million. These reductions would have already translated into the loss of more than 1000 Los Angeles Superior Court employees, were it not for the extraordinary measures we have been taking. We have been protected from the direct consequences of those reductions by two things: First, a series of one-time mitigations at the statewide level redirected funding toward court operations. Second, we have managed the cuts through planned reductions in court operating costs, combined with careful use of our reserve funding.

However, solutions are dwindling while reductions continue and uncertainty looms. At current state revenue levels, the trial courts face potential additional reductions. The Governor's budget proposes that, if his proposed tax initiative fails to pass in November, and thus fails to generate additional state revenues, the judicial branch would receive an additional \$125 million "trigger cut" in the middle of fiscal year 2012-13. Thus the trial courts' fiscal future remains very risky.

MEMORANDUM

To: All Judicial Officers and Court Staff

March 5, 2012

Page 2

Within the judicial branch

The Administrative Office of the Courts (AOC) has proposed a two part plan to address the existing \$652 million reduction:

- First, the AOC proposes that each Court should reduce its annual spending on a permanent basis to reflect its share of the first \$350 million of the cuts.
- Second, the AOC proposes to mitigate the remaining \$300 million through a series of measures, including:
 - Requesting the legislature to restore \$100 million of current cuts;
 - Requesting the legislature to create \$50 million in new fees revenue;
 - Redirecting \$50 million from various statewide programs to the trial courts; and
 - Mandating that the trial courts use \$100 million statewide in locally held reserves (our Court's share of this solution would be \$28 million in reserve spending).

For our Court, the first part of the AOC's plan means that, recognizing our share of the \$350 million, and incorporating unfunded cost increases from the past four years, we must permanently reduce our annual spending by \$118 million.

Fortunately, the reductions that we have been making over the past few years – the layoffs from April, 2010; the subsequent hard hiring freeze; and a myriad of savings in our services and supplies budget – have already permanently reduced our annual spending by \$70 million.

That means that we need to make additional spending reductions of \$48 million to adjust to what is – under the most optimistic scenario – the New Normal for the California trial courts.

Our approach

In March of 2009 the Court convened a judicial Budget Working Group, composed of judicial leaders familiar with court operations and supported by administrative staff. This group has monitored the Court's budget outlook and examined in great detail the nature of our fiscal problems and the possible solutions to them. The Budget Working Group created a Proposed Budget Plan based on the above realities that they presented to the Executive Committee on

MEMORANDUM

To: All Judicial Officers and Court Staff

March 5, 2012

Page 3

Wednesday, February 29. The Executive Committee reviewed and endorsed the revised plan, which would replace a previous plan that called for more than 650 layoffs in October, 2012. Instead, the revised Budget Plan calls for \$30 million of staffing cuts on June 30, 2012.

The impacts of this round of reductions will be severe. Over the past two years, our Court has lost more than 500 staff to layoff and attrition – 10% of our workforce. We have lost 16% of our workforce since the dot-com crash of 2002. As staffing dwindles while caseloads and the complexity of our work continue to increase, any additional staffing reductions now cut into the core work of the Court: courtroom staffing.

Supervising Judges and staff are currently working out the operational details, but the broad parameters of the \$30 million reduction will be as follow:

1. \$6.8 million in annual savings in courtroom staffing associated with the restructuring of more than 50 courtrooms. Judicial officers in the affected courtrooms would do work that does not require the traditional complement of a Judicial Assistant (or, in the civil courts, the additional complement of a Courtroom Assistant). It is anticipated that this restructuring will result in the layoff of more than 50 Judicial Assistants and more than 20 Courtroom Assistants.
2. \$10.2 million in annual savings from reduced use of Court Reporters. While details have yet to be finalized, the plan would likely involve the elimination of more than 60 Court Reporter positions and the conversion of another similar number of full-time positions to part-time. Court-employed Court Reporters would no longer be available for civil trials; they would be available for civil law-and-motion calendars on a part-time basis, and they would be available in family law courts.
3. \$4.8 million in annual savings from reductions in courtrooms in the juvenile courts;
4. \$8.2 million in annual savings from reductions in non-courtroom staff. These changes are currently under study. They will likely result in the layoff of more than 100 court staff across the Court (these are in addition to the impacts on Judicial Assistants, Courtroom Assistants and Court Reporters outlined above).

Altogether it is anticipated that more than 350 Court staff and more than 50 courtrooms will be directly impacted by these reductions. Specific implementation of the above program changes has yet to be worked out. Detailed plans will be

MEMORANDUM

To: All Judicial Officers and Court Staff

March 5, 2012

Page 4

determined through a process that respects all existing labor agreements and involves appropriate participation of union representatives.

Rumors thrive in such periods of uncertainty and we encourage everyone to avoid rumors and instead stay informed through talking with judicial leadership, managers and union representatives.

Our response to the budget crisis is crucial in protecting access to justice

These changes will affect every judicial officer and staff member – as well as the millions of attorneys and litigants who depend upon our courts to deliver justice. These are extraordinary measures, never before seen in the Los Angeles Superior Court. The cuts already imposed upon the California trial courts underfund the Los Angeles Superior Court by more than 1000 existing staff positions. The impending layoffs are the next step in the process of achieving this downsizing gradually, rather than catastrophically. Nonetheless, there is no escaping the fact that this next round of cuts will be the most significant event to happen to our Court. Never before has our Court had to cut so deeply into the core work of adjudication. Never before has a budget crisis dealt so crippling a blow to our Court.

But money is not destiny. The ultimate impacts of this blow will be determined by our response to it. That is why, while we are greatly concerned about our future, we do not despair.

Our Court has a history of working together in the best interests of justice; that history will serve us well as we all come to grips with the coming changes. When we put the good of the Court ahead of our own portion of it; when we put the needs of litigants and attorneys ahead of our individual desires; when we show willingness to take calculated risks in pursuit of needed innovation – these are the qualities that will ensure that the Los Angeles Superior Court endures.

In the next few months, we will all have opportunities, big and small, to work together to reshape our Court. We are confident that, as we do so, judges and staff across our Court will protect access to justice and maintain the high standards of fairness and integrity that the Los Angeles Superior Court is known for.

c: Assistant Presiding Judge David S. Wesley
Executive Committee members
Supervising Judges
Executive Management Group